

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RENEE LAMAR,

Plaintiff,

Case No. 2:22-cv-10235

v.

Honorable Susan K. DeClercq
United States District Judge

LINCARE INC., and PHILIPS RS
NORTH AMERICA LLC D/B/A
RESPIRONICS, INC.,

Defendants.

**ORDER DENYING WITHOUT PREJUDICE PLAINTIFF’S MOTION TO
AMEND CAPTION BY INTERLINEATION (ECF No. 37) AND
ADJOURNING DEADLINE TO FILE CLOSING DOCUMENTS**

On March 18, 2025, Plaintiff’s Counsel notified the Court that all Parties had reached a settlement. ECF No. 36 at PageID.1251. The Parties were directed to submit closing documents on or before April 18, 2025. *Id.*

On April 14, 2025, Counsel for Plaintiff filed a motion seeking to amend the case caption to reflect that the current Plaintiff—Renee Lamar, as personal representative for the Estate of Paula Maxwell—is no longer the personal representative of Maxwell’s Estate. ECF No. 37. Plaintiff’s Counsel reports that “there are now two Co-Personal Representatives of the Estate of Paula Maxwell: Howard T. Linden, Esq.; and Jamie Ryke, Esq.” *Id.* at PageID.1253.

But Plaintiff’s Motion will be denied without prejudice at this juncture.

Importantly, Plaintiff's Motion does not comply with Local Rule 7.1(a), which requires Plaintiff's attorney to first seek concurrence with opposing counsel before filing a motion. *See* E.D. Mich. LR 7.1(a). For this reason, it is not clear to this Court from Plaintiff's Motion whether Defendants are aware of the change in personal representative or the proposed change in the case caption. And Plaintiff has provided no supporting documentation to corroborate that there was a change in personal representative for Maxwell's Estate. So, Plaintiff's Motion will be denied without prejudice. Additionally, the Court will extend the deadline to file closing documents considering the administrative delay caused by this issue.

Accordingly, it is **ORDERED** that Plaintiff's Motion to Amend Caption by Interlineation, ECF No. 37, is **DENIED WITHOUT PREJUDICE**.

Further, it is **ORDERED** that the Parties' deadline to submit closing documents via the Utilities, Proposed Order function of CM/ECF, *see* ECF No. 36, is **ADJOURNED** to **May 8, 2025**.

This is not a final order and does not close the above-captioned case.

/s/Susan K. DeClercq
SUSAN K. DeCLERCQ
United States District Judge

Dated: April 17, 2025